**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**CRIMINAL APPELLATE JURISDICTION**
**CRIMINAL APPLICATION NO.6604 OF 2005**
IN
CRIMINAL APPLICATION NO.687 OF 2004

Sushil Hiralal Chokhani ...Applicant
in Cri.Appln.687 of 2004

Vs.

The State of Maharashtra ...Respondent
in Cri.Appln.687 of 2004
and
Ravindra Prashant Anuja through his
constituted attorney Baldev Nughal ...Intervener
in Cri.Appln.687 of 2004

Shri S.V.Kotwal for the Applicant.
Ms M.M. Deshmukh, A.P.P. for the State.
Shri Ghanshyam Upadhyay alongwith Jimesh Shah i/by
Law Global for the Intervener

**CORAM : A. S. OKA, J.**
**DATE : OCTOBER 11, 2005.**

**P.C.:**

1. Prayer in this Application is essentially for clarification of the observations made by this Court in order dated 06th September, 2005. The observation made is that power of attorney of the intervener was not produced. Now it is brought to my notice that when the power of attorney holder filed affidavit dated 20th February, 2004 in Criminal Application No.687 of 2004, the original power of attorney dated 14th November, 2003 was seen by the Section Officer of the Officer of this Court and was returned to the holder. Thus, the power of attorney may not have been

filed alongwith the Vakalatnama, nevertheless, it was shown to the Section Officer while filing the affidavit of power of attorney holder. The Advocate for intervener has tendered an apology for not showing the Power of Attorney to the concerned Officer at the time of filing Vakalatnama. It is stated that an Application made for intervention was on 20th February, 2005 but was not numbered and therefore, the Advocate could not point out the number.

2. In view of aforesaid, the observations which are made in paragraph Nos.2 and 3 of the order dated 06th September, 2005 against the Advocate for Intervener shall not be treated as adverse observations against the said Advocate. Accordingly, the order dated 06th September, 2005 is clarified to that extent and this Application is disposed of.

**JUDGE**